

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

FAO No.524 of 2006 (O&M)

Date of Decision: 04.08.2006

Smt. Sarla Devi and others.

... Appellants

Versus

Jagjit Singh and others.

... Respondents

CORAM : HON'BLE MR. JUSTICE UMA NATH SINGH
HON'BLE MR. JUSTICE S.D. ANAND

Present : None.

UMA NATH SINGH, J.(ORAL)

No one is present in the second round after pass over.

This order shall also dispose of connected FAO No. 525 of 2006 (Smt. Sheela Devi and others Versus Jagjit Singh and others), as both the appeals arise out of a common award of Rs.3,94,000/- with 9% interest per annum dated 26.7.2005 passed by the learned Presiding Officer, Motor Accident Claims Tribunal, Rewari.

Filing of the FAO is barred by 56 days' delay. The explanation given for delay in para no.2 of the application, on reproduction, reads as under:-

“That the appellants could not file the present appeal within 90 days due to financial problem. The appellants could not engage lawyer for filing of the present appeal because she could not arrange fees for the lawyer and due to which a delay of 56 days

occurred in filing the present appeal.”

Moreover, it appears that the appellants did not approach the Legal Aid Committee for getting assistance of a lawyer. Thus, the application for condonation does not show sufficient cause and in view of a judgment of Hon'ble the Apex Court reported in AIR 1998 SC 2276 (P.K. Ramachandran versus State of Kerala and another), we cannot extend the limitation on equitable ground.

Hence, both the FAOs are dismissed on the ground of delay.

(UMA NATH SINGH)
JUDGE

August 04, 2006
vkd

(S.D. ANAND)
JUDGE